

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WF CAPITAL, INC.,
Plaintiff,

v.

WILLIAM J. BARKETT and LISA
BARKETT,
Defendants.

No. C10-524RSL

ORDER GRANTING PLAINTIFF'S
MOTION FOR AN ORDER
CERTIFYING JUDGMENT FOR
REGISTRATION IN THE SOUTHERN,
CENTRAL AND EASTERN DISTRICTS
OF CALIFORNIA

This matter comes before the Court on plaintiff's Motion for an Order Certifying Judgment for Registration in the Southern, Central and Eastern Districts of California. Dkt. #38. Plaintiff WF Capital, Inc. seeks an order certifying the judgment for registration in California because judgment debtors William and Lisa Barkett have substantial assets in California, and do not have substantial property or assets in the Western District of Washington. Id. at 1. Defendants William J. Barkett and Lisa Barkett have not filed an opposition to plaintiff's motion. Pursuant to Local Civil Rule 7(b), the Court considers defendants' failure to file an opposition to plaintiff's motion an admission that the motion has merit.

ORDER GRANTING PLAINTIFF'S MOTION
FOR ORDER CERTIFYING JUDGMENT FOR
REGISTRATION IN CALIFORNIA - 1

1 Having reviewed the memoranda, declaration, and exhibits submitted by plaintiff, the Court
2 finds as follows:

3 1. While defendants have filed a notice of appeal, they have not posted a supersedeas
4 bond to stay enforcement of the judgment. Accordingly, plaintiff may commence efforts to
5 enforce its judgment. See Fed. R. Civ. P. 62(a); Columbia Pictures Indus. v. Krypton Broad. of
6 Birmingham, Inc., 259 F.3d 1186, 1197 (9th Cir. 2001) (“Under Federal Rule of Civil
7 Procedure 62(a), a judgment of a United States District Court becomes final and enforceable
8 [14] days after judgment is entered.”).

9 2. Defendants do not dispute that they do not own property in Washington or do any
10 business in Washington State. Dkt. #16 ¶¶ 2, 5; #39 ¶2.

11 3. Defendants do not dispute that they have substantial assets in Southern, Central and
12 Eastern Districts of California. Dkt. #16 ¶4, #39, Exs. 1&2.

13 4. Good cause exists under 28 U.S.C. § 1963 to certify the judgment for registration
14 in California. Columbia Pictures, 259 F.3d at 1198 (good cause shown where judgment debtor
15 did not dispute that he lacked assets in California or that he owned substantial property in
16 Florida).

17 For all the foregoing reasons, plaintiff’s Motion for an Order Certifying Judgment for
18 Registration in the Southern, Central and Eastern Districts of California is GRANTED.

19 DATED this 3rd day of December, 2010.

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21 Robert S. Lasnik
22 United States District Judge
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